

REMARKS

Claims 1-8 and 10-18 are presented, of which claim 1 is independent and the rest are dependent. Claim 9 has been canceled without prejudice or disclaimer, since the invention is adequately covered by the retained claims.

An object of the invention is to provide the apparatus that facilitates both reading and writing while lying in bed, sitting, standing, walking or traveling, regardless of the ambient light, as noted at the bottom of page 2 of the application.

The apparatus of the invention is substantially rectangular in plan view, since it comprises a base 12 and a support 14 that can be collapsed into the base 12, and each of those parts is substantially rectangular in plan view, as explained in the application in the next-to-last paragraph on page 4.

A light 32 is provided for illuminating either writing material or reading material. As the application explains in the third paragraph on page 5 and illustrates in the drawings, for example, Figs. 1A and 1B, the light can be retracted or extended.

The claims have been amended by amendment of independent claim 1 to define the invention more precisely. The claims as amended and resubmitted are believed to be in condition for allowance, and favorable reconsideration of the application is respectfully requested.

Claims 1-5, 7 and 16-18 are rejected under 35 U.S.C. §102(b) as being anticipated by a U.S. patent to Judd No. 4,852,498. Claims 1, 3, 4 and 7-15 (now 1, 3, 4, 7, 8 and 10-15) are rejected under 35 U.S.C. §102(b) as being anticipated by a U.S. patent to Menaged No. 5,883,360. Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Judd patent in view of a U.S. patent to Edmunds No. 6,302,273.

The rejections are respectfully traversed. The claims as resubmitted are directed to apparatus comprising a base, a support connected to the base, and an adjuster for selectively collapsing the support relative to the base so that the apparatus can support writing material and function as a clipboard; or extending the support relative to the base so that the apparatus can support reading material and function as a reading stand. A light is provided for illuminating the writing or reading material. The light can be retracted or extended, and the apparatus when collapsed is substantially rectangular in plan view.

The invention as defined by the amended claims, which is fully supported by the application as originally filed, is neither disclosed nor suggested by the documents relied upon.

The Judd and Edmunds patents both disclose three-panel fold-out kits. In the case of the Judd patent, a wide cover 12 and a narrow cover 24 are provided. The wide cover is hinged at 14, and the narrow cover is hinged at 24. The device can thus be opened from the configuration of Fig. 1 to the position or configuration of Fig. 3. It can then be further opened to the configuration of Fig. 4. The device functions as a laptop computer work station, as indicated by the patent title. A laptop computer 48 is stored in the center section, a document holder 72 is

provided at the right (Fig. 4), and a diskette holder 40 is provided at the left.

In the case of Edmunds, the device is apparatus for aiding the layout and editing of items of sheet material, as indicated by the title. Hinges 17 and 18 permit opening of three panels from the configuration of Fig. 1 to that of Fig. 4. Further opening is facilitated by pivots 44 and 61 at the left and right, respectively, of Fig. 4.

The Menaged patent discloses an adjustable reading stand and light assembly. The light is permanently deployed and cannot be collapsed in such a manner as to produce a structure that is substantially rectangular.

From this amendment and the preceding remarks, it is clear that the rejections under 35 U.S.C. §102(b) are inapplicable to the claims as resubmitted.

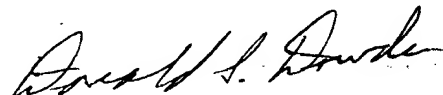
Moreover, the rejection under 35 U.S.C. §103(a) is inapplicable to the claims as resubmitted. The Edmunds patent is cited for each disclosure of an adjustable stay, which the Examiner states could be substituted for the adjustment means 68 of Judd. It is not seen why such an adjustment would suggest itself to a person having ordinary skill in the art, since the Judd adjustment means 68 is quite satisfactory for Judd's purposes. In any case, even if such a substitution were made, the combination would lack an essential feature required by the claims as amended, including a light for illuminating writing or reading material, the apparatus being constructed so that the light can be retracted or extended and the apparatus when collapsed being substantially rectangular in plan view.

Finally, it is noted that there is no reason based in the documents themselves (as opposed to the present applicant's own disclosures) why the light of Menaged should be incorporated in the structure of either Judd or Edmunds. The reading light provided in accordance with the present invention is superfluous when operating a laptop computer or doing page layout. The present invention provides apparatus that is ideally suited as an aid to both reading and writing while lying in bed, sitting, standing, walking or traveling, regardless of the ambient light. Lecturers and other professional public speakers can use it to great advantage. The apparatus is self-contained; it can accommodate in one convenient package everything needed for reading or writing under any conditions a user is likely to encounter, even while traveling.

For the reasons stated, it is respectfully requested that the Examiner enter the amendment and issue a notice of allowance.

If a telephone call would expedite prosecution of the application, the Examiner is invited to call undersigned counsel.

Respectfully submitted,
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VERSIONS WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claims 1 and 10 have been amended as follows:

--1. (Amended) Apparatus comprising:

a base;

a support connected to the base; [and]

an adjuster for selectively collapsing the support relative to the base so that the apparatus can support writing material and function as a clipboard; or extending the support relative to the base so that the apparatus can support reading material and function as a reading stand; and

a light for illuminating the writing or reading material;

wherein the light can be retracted or extended and the apparatus when collapsed is substantially rectangular in plan view.--

--10. (Amended) Apparatus according to claim [9] 1 further comprising a stalk connected to the apparatus for mounting the light.—

Claim 9 is canceled without prejudice or disclaimer.